

**From:** Amir Gresham <princegenius@vzw.blackberry.net>  
**Sent:** Monday, February 22, 2010 2:03 AM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

The Global Economy deserves for US Forex markets to be FREE of any, and all regulations!

Amir Gresham  
Santa Clarita CA, 91355  
princegenius@vzw.blackberry.net

**From:** Steve Martin <rraymar@earthlink.net>  
**Sent:** Monday, February 22, 2010 6:47 AM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

I'm an investor in foreign currency through a U.S. dealer. I am very concerned about the proposed rules from the CFTC. The CFTC's recent rule proposal, which would limit customer trading leverage to 10 to 1, would be a crippling blow to the U.S. forex industry. This unsustainable rule would drive U.S. forex dealers, which brings tens of millions of dollars into the U.S. banking industry each day, offshore into the hands of foreign competitors. It would encourage fraud both at home and abroad as customers seeking to trade retail forex would have no other legitimate domestic alternative. As an investor, I would be forced to take my business outside of the United States.

Steve Martin  
Fullerton CA, 92832  
rraymar@earthlink.net

**From:** Donald Podluzne <Don@kbksoft.com>  
**Sent:** Monday, February 22, 2010 9:48 AM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

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In response to RIN 3038-AC61

I am writing in response to the proposed change to limit the leverage in the forex market to 10-1. As I believe that the changes that limited leverage 100:1 has helped in fraud in the market. As a small Forex trader who has been doing who has been spending the past year and a half learning the Forex Market and fine tuning my trading , I feel that the limiting to 10 - 1 makes it difficult for me and others in my situation to open and trade the forex market. The higher leverage allows people like me to open accounts and be able to trade with descretionary money. Changing the leverage will require me to have more money just to make a trade and will not allow me to continue.

Donald Podluzne  
Geneca OH, 44041  
Don@kbksoft.com

**From:** jchproductions@gmail.com  
**Sent:** Monday, February 22, 2010 11:41 AM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

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Below is the result of your feedback form. It was submitted by  
(jchproductions@gmail.com) on Monday, February 22, 2010 at 11:41:17

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commenter\_subject: Proposed CFTC Regulation of Retail Forex  
commenter\_frdate: January 7th, 2010  
commenter\_frpage: RIN3038-AC61  
commenter\_comments: To whom it may concern,

I am writing this in opposition of the proposed rules of RIN3038-AC61. The proposed limits on leverage will severely hamper the chances of individual retail forex traders to be able to compete in the forex markets. Reducing the leverage will not reduce the risk to these traders because many of them will be compelled to move overseas or will be forced to increase their cash balances in unsecured forex broker's accounts. Perhaps a solution could be to impose a 5-10% of total equity stop on orders thus by ensuring that no trader's losses grow by more than that. This way you would not only enable traders with proper risk management to thrive, but would achieve your goal of protecting the novice traders from themselves.

Thank you for your time,  
  
- Jeremy Hansen

commenter\_name: Jeremy Hansen  
commenter\_withhold\_address\_on: ON  
commenter\_address1: 736 W, 181st St. apt 2K  
commenter\_city: New York  
commenter\_state: NY  
commenter\_zip: 10033  
commenter\_phone: 9085313779

-----

**From:** Alex Wilde <awilde662@embarqmail.com>  
**Sent:** Monday, February 22, 2010 1:11 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

I'm an investor in foreign currency through a U.S. dealer. I am very concerned about the proposed rules from the CFTC. The CFTC's recent ruleproposal, which would limit customer trading leverage to 10 to 1, would be a crippling blow to the U.S. forex industry. This unsustainable rule would drive U.S. forex dealers, which brings tens of millions of dollars into the U.S. banking industry each day, offshore into the hands of foreign competitors. It would encourage fraud both at home and abroad as customers seeking to trade retail forex would have no other legitimate domestic alternative. As an investor, I would be forced to take my business outside of the United States.

Alex Wilde  
Greenville SC, 29601  
awilde662@embarqmail.com

**From:** Bauer, Jennifer <JBauer@CFTC.gov>  
**Sent:** Monday, February 22, 2010 1:20 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** FW: Regulation of Retail Forex

---

-----Original Message-----

From: Antonio S Brasse/NYLIC [[mailto:antonio\\_s\\_brasse@newyorklife.com](mailto:antonio_s_brasse@newyorklife.com)]  
Sent: Monday, February 22, 2010 10:43 AM  
To: Smith, Thomas J.; Bauer, Jennifer; Penner, William; Cummings, Christopher W.; Sanchez, Peter  
Subject: Fw: Regulation of Retail Forex

Good Morning All. I wasn't sure who else to send this to as I have not received an email confirmation regarding the receipt of my comments. Thank you for forwarding along to the relevant parties. This is regarding the proposed rule with identification number RIN 3038-AC61. I also forwarded this email to one of our US Senators for NY State as this rule could adversely impact our state's economy. Thanks again for your time.

Antonio Brasse, CPA, CIA, CFSA  
Corporate Audit Staff  
Corporate Audit Department  
New York Life Insurance Company  
51 Madison Avenue  
New York, NY 10010  
Phone: 212-576-6145 (Direct Line)  
Fax: 212-589-4447  
[Antonio\\_S\\_Brasse@newyorklife.com](mailto:Antonio_S_Brasse@newyorklife.com)

----- Forwarded by Antonio S Brasse/NYLIC on 02/22/2010 10:30 AM -----

Antonio S  
Brasse/NYLIC

To  
02/08/2010 05:25 PM secretary@cftc.gov  
cc  
kirsten\_gillibrand@gillibrand.senate.gov

Subject  
Regulation of Retail Forex

These comments are in relation to the proposal to lower the maximum leverage allowed by retail forex customers from 100:1 to 10:1 (identification number RIN 3038-AC61). I am also CC'ing the office of our US Senator Kirsten Gillibrand representing NY, whom just recently spoke at our New York Life Headquarters today, to bring awareness to this issue. I find it very relevant to her office as many of the retail forex brokers are located right here in NYC.

I have very serious concerns regarding this proposal, both as a retail forex customer/trader and as a US citizen overall.

As a retail forex customer, I am very concerned about having my freedom and right to choose the amount of leverage that is appropriate for my individual desired risk taken away from me. I am a firm believer in personal responsibility and traders should make intelligent decisions on what their acceptable risk levels are and should take responsibility for both their good and bad decisions. Additionally, this proposal would be handicapping the US based retail forex trader in the world of forex, where other non-US based traders can still trade at higher leveraged amounts and institutional and central bank traders will dwarf retail traders at very dangerous magnitudes making the retail trader even more susceptible to the legal forms of manipulation that occurs in the forex market. I understand that this proposal is probably related to wanting to protect the average consumer/trader, but this proposal will actually make it far more risky for the average trader/consumer. Take into consideration this: currently a retail trader would need only \$100 to trade a particular position but under the new proposed leverage, a trader would need \$1,000 for that same position, having their risks increased ten fold because of this proposal. Now if you multiply that number and compare \$1,000 used now for a trade to needing \$10,000 for the same trade under the proposal, you can see how badly this situation can get for the regular average American forex trader under this proposal. If I may, I believe a better solution to protect the average retail trader would be to institute some kind of training or certification course where the potential trader will have to prove certain basic knowledge of the forex market and risk management as it relates to forex before they are allowed to trade. This could be outsourced to organizations that already provide forex training so the government would not need to incur any huge additional costs to set up a program from scratch. You would just need to formalize the process for reporting purposes to the CFTC and also to provide brokers with information that a potential trader has completed a course and is eligible to trade.

As a US citizen, my concerns are far more serious. We would be handicapping our country in just one more marketplace, adding it to the many other areas we've handicapped ourselves already, unfortunately, this time, it would be the largest marketplace to have ever existed on this planet that we would be losing a huge competitive edge on. While we go down to 10:1 leverage, other countries will remain at 100:1 all the way up to 400:1 leverage. Our US-based forex brokers will go out of business because any intelligent forex trader will move their account overseas so they can keep the powerful leverage. Jobs will be lost and tax revenues (both W2 and investment related) will be lost as traders look to overseas markets to trade currencies and our domestic brokers are driven out of business. In our current economic climate, where the job market and government revenue situation are already at dangerous points, this would have devastating effects for this proposal to become law.

As a concerned retail forex trader and US citizen, I urge you not to pass any new regulations that will affect the current maximum leverage allowed. Thank you for taking the time to consider our comments on this issue. If you would like any additional feedback from me, please do not hesitate with regards to contacting me. Thanks again for your time.

Antonio Brasse, CPA, CIA, CFSA  
Corporate Audit Staff  
Corporate Audit Department  
New York Life Insurance Company  
51 Madison Avenue  
New York, NY 10010  
Phone: 212-576-6145 (Direct Line)  
Fax: 212-589-4447  
Antonio\_S\_Brasse@newyorklife.com





**From:** Brad Bederman <BBederman@gotechnow.com>  
**Sent:** Monday, February 22, 2010 1:50 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex  
**Attach:** Brad Bederman.vcf

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Dear Mr.Stawick,

I believe that each Foreign Exchange trader should have the right to choose the amount of leverage that is appropriate for his/her risk appetite, and that this basic principle of 'choice' is being threatened by the proposed CFTC regulations. Therefore I am **against**proposed regulations stating that leverage in "retail forex customer accounts would be subject to a 10-to-1 limitation" ( identification number **RIN 3038-AC61** ).  
Thanks!

Brad Bederman

Staff Augmentation | Statement of Work | Permanent Placement | Vendor on Premises

**Brad Bederman**  
Recruiter  
[Brad.Bederman@gotechnow.com](mailto:Brad.Bederman@gotechnow.com)  
phone: 214-615-2600 x228  
mobile: 214-649-0840  
fax: 214-615-2626

**GTN Technical Staffing**  
14800 Quorum Dr.  
Suite 150  
Dallas, TX 75254

Web: <http://www.GTNTechnicalStaffing.com>  
GTN blog: <http://www.DallasTechnicalJobs.com>  
Follow new jobs on Twitter: <http://www.Twitter.com/gotechnow>  
LinkedIn (personal): <http://www.linkedin.com/in/bradb>  
LinkedIn (company): <http://www.Linkedin.com/companies/gotechnow>  
Facebook: <http://www.Facebook.com>  
MySpace: <http://www.MySpace.com/gotechnow>

**Automatically** add me to your address book. Just double click the attached vcard and then click "Save and Close."

**From:** mount\_idee@juno.com <"mount\_idee@juno.com">  
**Sent:** Monday, February 22, 2010 1:58 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** "Regulation of Retail Forex" in the subject line.

---

Don't inact any rule changing the leverage-that would only drive traders to European brokers. Thanks, D Nagel

**From:** no-reply@erulemaking.net  
**Sent:** Monday, February 22, 2010 2:15 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Submission for 2010-00456  
**Attach:** Public Submission for 2010-00456.zip

---

Please refer to the attached file.

**From:** no-reply@erulemaking.net  
**Sent:** Monday, February 22, 2010 2:18 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Submission for 2010-00456  
**Attach:** Public Submission for 2010-00456.zip

---

Please refer to the attached file.

Subject: Regulation of Retail Forex

These comments are in relation to the proposal to lower the maximum leverage allowed by retail forex customers from 100:1 to 10:1 (identification number **RIN 3038-AC61**). I am also CC'ing the office of our US Senator Kirsten Gillibrand representing NY, whom just recently spoke at our New York Life Headquarters today, to bring awareness to this issue. I find it very relevant to her office as many of the retail forex brokers are located right here in NYC.

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As a US citizen, my concerns are far more serious. We would be handicapping our country in just one more marketplace, adding it to the many other areas we've handicapped ourselves already, unfortunately, this time, it would be the largest marketplace to have every existed on this planet that we would be losing a huge competitive edge on. While we go down to 10:1 leverage, other countries will remain at 100:1 all the way up to 400:1 leverage. Our US-based forex brokers will go out of business because any intelligent forex trader will move their account overseas so they can keep the powerful leverage. Jobs will be lost and tax revenues (both W2 and investment related) will be lost as traders look to overseas markets to trade currencies and our domestics brokers are driven out of business. In our current economic climate, where the job market and government revenue situation are already at dangerous points, this would have devastating effects for this proposal to become law.

As a concerned retail forex trader and US citizen, I urge you not to pass any new regulations that will affect the current maximum leverage allowed. Thank you for taking the time to consider our comments on this issue. If you would like any additional feedback from me, please do not hesitate with regards to contacting me. Thanks again for your time.

**Antonio Brasse, CPA, CIA, CFSA**  
Corporate Audit Staff  
Corporate Audit Department  
**New York Life Insurance Company**  
51 Madison Avenue, Room 701  
New York, NY 10010  
Phone: 212-576-6145 (Direct Line)  
Fax: 212-589-4447  
[Antonio\\_S\\_Brasse@newyorklife.com](mailto:Antonio_S_Brasse@newyorklife.com)

**From:** no-reply@erulemaking.net  
**Sent:** Monday, February 22, 2010 2:18 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Submission for 2010-00456  
**Attach:** Public Submission for 2010-00456.zip

---

Please refer to the attached file.

**From:** no-reply@erulemaking.net  
**Sent:** Monday, February 22, 2010 2:18 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Submission for 2010-00456  
**Attach:** Public Submission for 2010-00456.zip

---

Please refer to the attached file.

**From:** Leonard Lewis <currencycowboy@hotmail.com>  
**Sent:** Monday, February 22, 2010 5:50 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Margin Requirement

---

I am not sure who your trying to prevent from trading, but changing the margin requirement from 100:1 to 10:1 is just a sure fired way of taking most traders out of the market. Worse yet it would force traders to go to off shore or brokers that are not members of the CFTC OR NFA

**Take care,  
Leonard Lewis**

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This e-mail message, including any attachments, is for the sole use of the intended recipient and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the original sender Leonard Lewis @ [CurrencyCowboy@hotmail.com](mailto:CurrencyCowboy@hotmail.com) and destroy all copies of the original message and attachments.

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**From:** vegashardings@aol.com  
**Sent:** Monday, February 22, 2010 5:55 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

Hello,

I am writing today to voice my concern over the proposed change in leverage for Forex accounts. As a small investor, I will be unable to trade with the proposed limits. PLEASE, do not let this become a new regulation. Any one can learn to trade this market and with patience and discipline, can become successful over time. If this becomes law, small investors will not be able to enter this market. Please reconsider.

Sincerely,

William Harding

**From:** Josh Duesterbeck <jduester007@yahoo.com>  
**Sent:** Monday, February 22, 2010 5:56 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

I am writing to voice my opinion that I am against the recent proposal to increase margin requirements from 100:1 to the proposed 10:1 leverage.

This new regulation will in practical terms close the door to retail investors learning to trade. The financial markets should not be limited to solely the large financial institutions. We, as traders, know the risks involved in trading and don't need these overbearing proposals effectively squelching us out of this market.

Thank you for your time.

Josh Duesterbeck  
FX Trader  
La Crosse, WI

**From:** Muzaffar Anwar <muzaffar\_anwar@hotmail.com>  
**Sent:** Monday, February 22, 2010 5:56 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

This is very upsetting to know that CFTC is limiting leverage to 10:1

This is just another way to let only financial institutions trade in forex and it will put many traders out of the market that can not afford 10:1 leverage. This is really disappointing and I am totally against it. Please do not let this proposal pass.

Regards,

Muzaffar Anwar  
E-mail: [Muzaffar\\_Anwar@hotmail.com](mailto:Muzaffar_Anwar@hotmail.com)

**From:** Dick Sustich <rsust@comcast.net>  
**Sent:** Monday, February 22, 2010 5:57 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

Please do not change the Forex leverage from 100:1 to 10:1. You change it and I and others would stop trading Forex.

**From:** rsust@comcast.net  
**Sent:** Monday, February 22, 2010 5:59 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

---

Below is the result of your feedback form. It was submitted by  
(rsust@comcast.net) on Monday, February 22, 2010 at 17:59:04  
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commenter\_subject: Regulation of Retail Forex  
commenter\_comments:  
    Please do not change the Forex leverage from  
    100:1 to 10:1. You change it and I and others  
    would stop trading Forex.  
commenter\_name: Richard Sustich  
commenter\_withhold\_address\_on: ON  
commenter\_city: Vaccaville  
commenter\_state: CA  
-----

**From:** Raj Dasgupta <xbsd98@gmail.com>  
**Sent:** Monday, February 22, 2010 6:04 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

To:  
Secretary of the Commission  
Commodity Futures Trading Commission

I am writing with regard to the new  
Regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries, proposal that was released by your office.

*I am a Forex professional and in this industry leverage plays a much more significant role than in Equities, Fixed Income and other asset classes. I believe that reducing the leverage to 1:10 will greatly disadvantage US in terms of competitiveness with foreign institutions. The US plays a very critical role in this market where more than 3 Tr USD is traded per day. Allowing this huge market to move overseas will have a significant impact to the US FX Industry.*

*If the main reason for increasing leverage is to discourage over-zealous investments by newcomers in search for "easy money", perhaps, you should consider imposing stricter qualifying rules for trading on leverage.*

*I, like many of my peers in the FX World are not in favour of such changes in the FX Market and request you to reconsider the suggestions taking into account the implications apparent in such a change,*

*Thanks and regards,*

*- Nataraj.*

**From:** jacknavin@comcast.net  
**Sent:** Monday, February 22, 2010 6:12 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** New Leverage requirements

---

The risks I take are my business. If you invoke this new margin requirement, I'll move to a broker in another country.

I suspect that thousands of small retail traders will do the same. This could mean a significant loss of business to your members.

Is this what they want?

J. Navin

**From:** Orthotek <orthoteksa@eastcoast.co.za>  
**Sent:** Monday, February 22, 2010 6:12 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** RESTRICTIONS

---

I believe that, with proper education, it is not necessary for the U.S. Forex industry to be subject to these regulations. Only recently have the doors opened for retail investors to trade in this market; these doors are effectively closed through the proposed rules, once again making the FX market accessible only to financial institutions.

Regards  
Duncan Robertson



**From:** DavisMK@aol.com  
**Sent:** Monday, February 22, 2010 6:19 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Re: New CFTC Proposed Rule

---

**Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street NW  
Washington, DC 20581**

Dear Secretary,

Please do not lower the leverage (currently 100:1) to open and maintain a position on a forex transaction. The current level works well.

Sincerely,  
Mike Davis  
[davismk@aol.com](mailto:davismk@aol.com)  
Big Canoe, Georgia 30143

**From:** Eduardo Salomon Valladares Santur <valladaressantur24@hotmail.com>  
**Sent:** Monday, February 22, 2010 6:39 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

---

Buen dia

Yo como minoritario de Forex no estoy de acuerdo con la nueva regulación correspondiente al apalancamiento, los riesgos q se toman son decisión de cada uno y esto tiene que respetarse.

Atentamente

Eduardo

---

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**From:** MIGUEL ROSALENY GUTIERREZ <miguelrosaleny@hotmail.com>  
**Sent:** Monday, February 22, 2010 6:42 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** "Reglamento de Retail Forex"

---

As a retail investor in Forex, I disagree with the proposal to change the leverage of 10 / 1 instead of the current 100 / 1, since in this case, one is seriously hurt retail investors.

¿Quieres tener a tus amigos de Facebook en Messenger? [¡Clic AQUÍ!](#)

**From:** jc-xt@hotmail.com  
**Sent:** Monday, February 22, 2010 6:42 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

---

Below is the result of your feedback form. It was submitted by  
(jc-xt@hotmail.com) on Monday, February 22, 2010 at 18:42:08  
-----

commenter\_subject: Regulation of Retail Forex

commenter\_frdate: January 20, 2010

commenter\_frpage: Page 3281-3330

commenter\_comments: Subject: Regulation of Retail Forex  
(RE: FR Doc 2010-456[Federal Register: January 20,  
2010 (Volume 75, Number 12)])

To Whom It May Concern:

I am writing to express my disagreement with the  
proposed change in available leverage from 100:1 to  
10:1.

As a trader my trading capital would actually be at  
much greater risk if this proposal were to be  
adopted. That increased risk would be combined in  
two forms: an increase in risk from the larger  
security deposit required, and an increase in risk  
from FCM bankruptcy. Please allow me to explain.

The proposed rule would require the FCM (aka  
broker) to collect from me (the retail forex  
customer) a much larger security deposit than is  
currently required in order for me to trade the  
same lot size as I do presently. In other words,  
it would be necessary for me to increase the amount  
on deposit with the FCM in order to maintain my  
present amount of trading income.

I am keenly aware that my security deposit (held by  
the FCM) is at risk, and should my broker go  
bankrupt, I risk losing the entire security  
deposit. Knowing this fact, my current trading  
strategy calls for me to keep the majority of my  
trading capital in a money market account or U.S.  
treasuries, and to keep only the minimally required  
amount on deposit with my broker. Should my broker  
go out of business and should my security deposit  
be lost as a result, then the majority of my  
capital is still safe from that loss.

An important point is that this (above) strategy to  
safeguard my trading capital is possible only  
because the current leverage availability allows me  
to adopt this strategy.

This proposed change, requiring an increased

security deposit, would cause me to have to move capital from the safer position to the riskier position (and this point is key) with no increase in potential reward, but just to maintain the same potential for reward. So, to summarize, the effect of this proposal for me would be: higher risk; equal reward.

Furthermore, the text of the CFTC proposed rule includes this statement:

¶ In an FCM bankruptcy, customers share the segregated property pro rata in proportion to their claims, without any support from a compensation fund.

That statement helps to make my second point.

The commonly held belief is that should the proposal be adopted some number of FCMs will indeed go out of business. (Some FCMs may merge or consolidate with others, some may cease operations in an orderly way, and some will probably almost certainly just abruptly close their doors.) So, (again the key point) the proposed rule itself would increase risk simply because of an increased likelihood of FCM bankruptcy (carrying the potential loss of security deposit) resulting from the rule's implementation.

So now, the result is an even larger degree of risk  
¶ from both a) the risk resulting from the increased size security deposit required, and, b) the risk resulting from a higher potential for FCM bankruptcy and along with the bankruptcy the loss of that larger security deposit just in order to maintain the same potential for reward that exists already. So again: much higher risk; no change in potential reward.

I feel it my obligation to be aware of the riskiness of my trading decisions and practices. As you can tell, I've taken steps to help protect me and my family from the risk of trading the forex market. My efforts to mitigate risk would be eliminated by this rule change.

While some of the rule changes included in this proposal are very good and beneficial to individuals and to groups and the industry as a whole, I strongly feel the change in available leverage would not be a benefit, but rather would be a cause for increased risk, and therefore would be a mistake to implement.

Thank you for the opportunity to express my thoughts and feelings.

Sincerely,  
Jim Cook

commenter\_name: Jim Cook  
commenter\_withhold\_address\_on: ON  
commenter\_address1: PO Box 3173  
commenter\_city: Skowhegan  
commenter\_state: Maine  
commenter\_zip: 04976  
commenter\_phone: 318-347-6295  
-----

**From:** Justin Monk <jmonk86@gmail.com>  
**Sent:** Monday, February 22, 2010 7:52 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** CFTC Proposed regulations

---

To whom it may concern,

I am a currency trader and I have been trading for 2 years now. The currency market is the only place that I have found that will allow me to make money with only \$25. When I started trading I started with \$50 and now I'm putting my self through college with the money that I make. As you know school isn't cheap and with the job market the way it is I can't find a job. Trading currency is the only way I have to make any money.

Spending time watching how money moves well relates it to water. When water meets a rock in the river it flows not through it but around it. Water will flow with the least amount of resistance. When regulations like lower leverage come into action the you will see the same with money it will flow with the least amount of resistance. I have seen brokers in other countries offer up to 500:1 and allow hedging. A lot of US brokers have been encouraging there clients to use NON US brokers. If leveraging changes to 10:1 this will require a minimum investment of \$10,000 for most brokers leaving a largely under served market for only off shore brokers. If that happens you will see money move to those brokers and see more money move to other countries. Taking money away from the US will not help the global economy. As the US stands as one of the worlds largest consumers moving money out of this country is not the best idea.

While I do believe that 500:1 is a bit much due to the fact that most traders do not manage leverage well. I don't think that requiring more money to invest is going to help current conditions. If you maintain up to a max 100:1 leverage and allow hedging for reasons of not just protecting current open positions but to allow and encourage long term holdings of these currencies. While still being able to make money when you are waiting the the rebound. I know that a plan closer to this will help keep taxable money in the US. I would really like to see the our money stay in the US and I would still like to pay for school because I do not qualify for federal help.

Thank you for you time and consideration of this letter,  
Justin Monk

**From:** politesconst@aol.com  
**Sent:** Monday, February 22, 2010 8:06 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** regulation of retail forex

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Dear Sirs,

I am writing to let you know that I am against any changes in the margin requirements that are proposed. Please consider my opinion when making your decision. Yours truly,

Norm Polites  
1478 Royal Circle  
Apopka, FL 32703  
407-928-8122



**From:** smathison@hra.com  
**Sent:** Monday, February 22, 2010 8:12 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

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Dear CFTC,

I am writing to you regarding the "**17 CFR Parts 1, 3, 4, et al. Regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries; Proposed Rule.**" My understanding of the reasons given by the CFTC for this proposed rule is to protect the retail forex investor. I am a retail forex investor, and I can tell you that this rule does not protect the retail forex investor, but instead does harm in limiting the options available to the retail investor. The only way to protect oneself when investing in the forex market is to use proper risk management and position sizing. If a retail investor is not implementing risk management or position size management, they will likely blow up their account, regardless of whether there is a limit on leverage of 100:1 or 10:1 or even 1:1. It is not leverage that gets retail forex investors in trouble, it is improper risk management. If the government wants to offer protection to the retail investor, it should encourage education. Education is the only really effective way to teach retail investors how to trade properly and with proper risk control.

Additionally, it makes no sense at all for the CFTC to propose leverage restrictions that are much more restrictive than the futures market makes available. Retail investors could also invest in currency futures contracts where leverage allowed is much higher than the 10:1 being proposed for forex. These two markets are equally as risky, so if you do make a proposal, it should be to harmonize the leverage offered to retail investors in the futures market and the foreign exchange spot market.

**As a retail forex investor, I strongly disagree with the proposed rule. Please do not reduce the amount of leverage the regulated forex brokerage firms can offer to retail investors.** Or, at the very least, align the leverage allowance with that which is currently allowed in the currency futures market.

Thank you.

Sincerely,

Steven Mathison

\*\*\*\*\*  
Steve Mathison  
1900 Harpers Way  
Torrance, CA 90501  
PH: 310-781-5825  
\*\*\*\*\*

**From:** tigermothflyer-trader@yahoo.com  
**Sent:** Monday, February 22, 2010 8:24 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regarding proposed CFTC leverage change for retail forex trading

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Dear Sir,

First, I would like to thank the CFTC for looking out for the small traders like me by implementing rules and regulations that protect the retail investors and traders. However, regarding the current set of proposed changes to the leverage for retail forex trading, I felt it unnecessary and crippling. As an individual trading my own personal account, I would like the freedom of choosing my own leverage as offered by my broker and not be limited to a ridiculously low leverage as proposed by the CFTC. I trade only mini contracts and used the advantage of the mini contract to manage my risk by scaling up or down the number of contracts I trade according to my equity level. This trading regime allows me to grow my equity at an exponential rate when market conditions are favorable and allows me to cut back on risk when facing adverse market conditions. However, the new proposed leverage change will seriously impact my money and risk management strategy, not to mention my long term equity growth. In effect, the CFTC is telling me to trade a smaller size than my current strategy allows, even though my current strategy is already rather risk-adverse. I do not wish to be dictated by the CFTC as to what position sizing to take or not to take, and if the proposed rule does take effect, I will definitely move my account away to another broker in another country that gives me the freedom to choose my own leverage. I am sure many retail traders will be doing likewise, thus posing a serious limit to the future growth of the US retail forex brokerage industry. I hope the CFTC will reconsider this proposed leverage change and leave the choice of choosing the leverage amount to the individual trader. Thank you very much for your kind consideration.

Regards  
Jim

**From:** Eiji Kakishita <eiji1817@sbcglobal.net>  
**Sent:** Monday, February 22, 2010 8:42 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Please do not change the current regulation!

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To whom it may concern,

I would like to express my opinion regarding the new requirements on Forex trading.

As a small individual investor, I would like to continue my trading in the forex market. We all know that trading forex involves high risk and that's why we study to find out what method will be the best to trade currencies.

If the current leverage is changed, many individual investors will be discouraged and pushed out of the market from trading currencies. That is taking away our freedom to choose.

I would beg you to keep the current regulation as is.

Eiji Kakishita  
Forex Trader  
1231 N Mosswood Dr.  
Anaheim, CA 92807

**From:** Ojo Abiodun <biodunrhoda@yahoo.co.uk>  
**Sent:** Monday, February 22, 2010 8:50 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:**

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The government should please weigh the consequence of this proposal on the economy of the U.S ,if the small player in the forex brokerage business relocate their business to a more friendly country in terms of legislation on CFTC. You know what that means in this present economic situation of the United States. This is my humble submission. Thank you.

**From:** raphealchan@gmail.com  
**Sent:** Monday, February 22, 2010 9:24 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

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Below is the result of your feedback form. It was submitted by  
(raphealchan@gmail.com) on Monday, February 22, 2010 at 21:23:49

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commenter\_subject: Regulation of Retail Forex

commenter\_comments: Dear Sir,  
I am writing to express my opinion about the new  
CFTC proposal "Regulation of Off-Exchange Retail  
Foreign Exchange Transactions and Intermediaries"

I am strongly against the reduction of the leverage  
in retail forex accounts that are subject to a  
10-to-1 limitation.

With the 10:1 leverage proposed, retail traders  
would be subject to a 10% margin requirement.  
Retail traders would have to invest significantly  
more to place trades of the same size, ultimately  
resulting in a decreased return or loss on  
invested margin and reduce the liquidity of the  
forex trading . The market maker may take this  
opportunity to trade against forex traders. It is  
not fair forex retail traders.

Instead, we should impose strict control on those  
market market so they cannot manipulate the bid/ask  
price or increase the spread suddenly. Infact in  
most case, retail forex traders blow up their  
account is because the forex trading company  
manipulates the price and ignore the stop loss of a  
trade. We should focus to regulate the forex market  
instead.

I urge you to reconsider the proposal seriously and  
look forward to receive your reply soon.

commenter\_name: Rapheal Chan  
commenter\_withhold\_address\_on: ON  
commenter\_address1: Blk 367A #09-99 Tampines St 34  
commenter\_city: Singapore  
commenter\_zip: 521367  
commenter\_phone: 98283649

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**From:** kevinwright.com <email@kevinwright.com>  
**Sent:** Monday, February 22, 2010 9:33 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Fabulous Forex!

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Forex is fabulous! It's perfect as it is!!! Keep it rockin' at 100:1!

  
KW

**From:** Charles Leonard <telecard@charter.net>  
**Sent:** Monday, February 22, 2010 9:42 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Retail Forex Trading Regulation

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Charles Leonard  
1705 Ridgeway Dr.  
Kingsport, TN 37664  
423-246-9408

David Stawick, Secretary  
Commodity Futures Trading Commission  
1155 21st St. NW  
Washington D.C. 20581

Re: RIN 3038-AC61

Dear Mr. Stawick,

I am a 50 year old trader, and have invested many hours as well as dollars to learn and understand forex trading. I find it interesting and challenging. I NEED to be good at trading because as you well know, there will be no Social Security for me. And even if there were, I could not sustain a lifestyle on those monthly checks. I see what my parents are receiving, and it is insulting!

I have turned to trading and studying, and have begun to do well for myself in practice accounts. I am considered by myself to be ready to open my live account. It is my hard earned money and I am willing to take the risk. And now I find out that you are considering imposing a leverage restriction that would negate most of my realised success! From 100:1 reduced by 90% to 10:1 I do not believe that this is to be imposed to protect me.

I would like to state that I am very much against this legislation because, it does not matter the reasons why, the outcome is the same. If you impose this restriction, you will take another means for me to support myself and my family, as well as punish every other small trader.

I am asking you to please remove the proposed maximum leverage ratio from this legislation.

Sincerely,

Charles Leonard

**From:** dacon1029@charter.net  
**Sent:** Monday, February 22, 2010 9:42 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

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Dear CFTC,  
I have spent years learning Forex trading and still learning. I'm a small beginner trader and the 10 to 1 leverage proposal would be the worse thing that could happen to smaller traders.  
thank you,



**From:** Robert morgan <robmor12@att.net>  
**Sent:** Monday, February 22, 2010 9:53 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** no on the new ruling

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million of traders will close their accounts if you pass this.

**From:** GARY POPE <garypope63@yahoo.com>  
**Sent:** Monday, February 22, 2010 10:13 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** "regulation of retail forex"

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To The CFTC,

As a 3 year trader in the forex market, i can tell u that i have blown out several multi-thousand dollar accounts in the past. This was do to inexperience and greed.! This is and was my own responsibility to learn the markets and make sound decisions based on that knowledge. It is not the responsibility of the CFTC to make these decisions for me. This is not , as it should not be a governmental welfare system looking out for those who choose to break the rules, or not be educated before trading. These new proposed changes are only going to drive traders to overseas markets, not controlled by the NFA & The CFTC. Not to mention these markets are extremely more flexible on past usa trading rules. ( hedging, leverage) It seems to me that this country is more focused on the little man losing there money , regardless of why, than helping them achieve their ultimate goal of prosperity, where a open and unregulated platform should be put back into place.!!

Gary Pope

&n bsp; Sincerely,  
&nbs p;

**From:** ksseawolf-1@yahoo.com  
**Sent:** Monday, February 22, 2010 11:02 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

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Below is the result of your feedback form. It was submitted by  
(ksseawolf-1@yahoo.com) on Monday, February 22, 2010 at 23:01:50  
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commenter\_subject: Regulation of Retail Forex  
commenter\_comments: The margin account level should not be changed.  
The 100:1 leverage allows entry by new traders and  
allows smaller accounts to be maintained to allow  
for testing ideas and acclimating to risk. By  
limiting the rate to 10:1 many people will be  
barred from entry or lose greater sums of money by  
needing much larger accounts.  
commenter\_name: David Holub  
commenter\_withhold\_address\_on: ON  
commenter\_address1: 20910 W 126th St  
commenter\_city: Olathe  
commenter\_state: KS  
commenter\_zip: 66061  
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**From:** broc99@mail.ru  
**Sent:** Monday, February 22, 2010 11:32 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Public Comment Form

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Below is the result of your feedback form. It was submitted by  
(broc99@mail.ru) on Monday, February 22, 2010 at 23:32:11

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commenter\_subject: Regulation of Off-Exchange Retail Foreign Exchange  
Tra

commenter\_frdate: January 20, 2010

commenter\_frpage: Vol. 75, No. 12

commenter\_comments: I think this is the worst idea to determine a  
limitation 10:1 for retail account. It'll kill all  
retail forex in US. 99% of participants of the  
market can't afford to go on trading with such a  
leverage.  
Regards,  
Boris.

commenter\_name: Boris

commenter\_withhold\_address\_on: ON

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**From:** lucy Dee <lucy1551@googlemail.com>  
**Sent:** Monday, February 22, 2010 11:54 PM  
**To:** secretary <secretary@CFTC.gov>  
**Subject:** Regulation of Retail Forex

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I would like to make my opinion known; I do not think it is right, just or fair that you are proposing to reduce the leverage available to retail forex investors.

I think this is discrimination towards retail traders and it sounds like there is a dirty motive behind suggesting it.

By reducing leverage you will be forcing retail traders to risk more of their money when starting out.

I am a new retail trader trading micro-lots (0.01) lot per position size, whilst I learn my techniques and gaining in confidence. If you change the rules I will be forced to make the equivalent of 0.1 lots.

How dare you make this decision on my behalf.

Yours sincerely,  
Lucy Dee